IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 27 OF 2006

Suhas Purushottam Joshi,
Prisoner No.716, at
Aguada Prison, Goa. ... Petitioner

versus

1. State of Goa through
   Chief Secretary, Panaji,
   Goa.

2. The Inspector General
   of Prisons, Collectorate,
   North Goa, Panaji-Goa. ... Respondents

Mr. T. George John, Advocate for the Petitioner under the Legal Aid Scheme.

Ms. Winnie Coutinho, Public Prosecutor for the Respondents.

CORAM : N. A. BRITTO, J.

DATE :15TH DECEMBER,2006.

ORAL ORDER

Heard Mr. T. George John, the learned Counsel under the Legal Aid Scheme appearing on behalf of the petitioner and

Ms. Winnie Coutinho, the learned Public Prosecutor appearing on behalf of the respondents.

2. The petitioner is a convict who has raised certain grievances in his petition. He was convicted to life imprisonment under Section 302 I.P.C. by Order dated 23-3-1998 of the City Sessions Court, Mumbai. The petitioner was transferred at his own request from Yerwada Prison in the State of Maharashtra to the Central Jail, Aguada wherein the petitioner is presently lodged. It appears that the State of Maharashtra vide letter dated 20-12-2004 had made it quite clear to the petitioner that once he was transferred to the State of Goa, his request for re-transfer to the State of Maharashtra would not be considered.

3. Be that as it may, the grievances raised in the petition are threefold. The Additional Inspector General of Prisons has filed his reply in the form of a letter dated 26-9-2006. The first grievance of the petitioner is that the birth anniversary of the Father of the Nation is not celebrated for the last 40 years nor there is anywhere a photograph displayed of the Father of the Nation in Aguada Prison. The Additional Inspector General of

Prisons has stated that no records of the past are available in the Central Jail, Aguada in connection with the celebration of the birth anniversary of the Father of the Nation. It was stated by him that it would be celebrated this year and it has been stated by the learned Public Prosecutor that indeed the birth anniversary was celebrated this year. She has also stated that a photograph of the Father of the Nation has also been displayed in the Office at Aguada Central Jail. She has also made a statement that several thoughts of Gandhiji have also been displayed in the Jail premises. The Jail Authorities are bound to celebrate the anniversary of the Father of the Nation in a befitting manner including providing some special food to add to the celebrations and it does appear that a provision to that effect has been made in the Model Prison Manual which is in the process of being finalized and followed in the prisons in the State of Goa. Nothing therefore survives as regards the first grievance of the petitioner.

4. The next grievance of the petitioner is that the petitioner is desirous of going back to Yerwada Jail at Pune. I have already noted that the petitioner was transferred from

Yerwada Jail to Central Jail, Aguada with an understanding that his request for re-transfer to the State of Maharashtra would not be considered. In any event, the Inspector General of Prisons is hereby directed, in case the petitioner addresses any communication to the Inspector General of Prisons, State of Maharashtra, to forward the same to him within a period of two weeks, after it is made. The last grievance of the petitioner is that he is not being provided with reading books and medicines. Central Jail, Aguada does have a Library and it is stated by the learned Public Prosecutor that books like Criminal Procedure Code, Indian Penal Code are also available in the said Library to be lent to the prisoners. She has also placed on record a letter dated 17-8-2006 addressed to the Secretary Navjivan Publication Mandir, Ashram, Gujarat for the supply of a biography on the Father of the Nation. A copy of the said letter be placed on record. Whether it is as regards books or medicines, there is no specific instances cited by the petitioner when he was deprived of the same. In any event, in case he has any specific grievance as regards non supply of books or medicines, the petitioner is always at liberty to bring the same to the notice of the Inspector General of Prisons whenever he visits the Central Jail or to the

notice of the Sessions Judge, whenever he or she visits the said Central Jail. In case such instances are brought to their notice they are bound to be redressed on the very spot by the said authorities.

5. With the above observations and directions, the petition is disposed of.

A copy of the petition be sent to the petitioner as well as to the Inspector General of Prisons.

N. A. BRITTO, J.

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